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Atlantic Coast Conference

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE: COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919-CW

**DECLARATION OF ANNA M. RATHBUN
REGARDING CAFA NOTICE
COMPLIANCE (28 U.S.C. § 1715)**

Complaint Filed: June 15, 2020

1 I, Anna M. Rathbun, declare and state as follows:

2 1. I am an attorney duly licensed to practice before this Court and with the law firm
3 of Latham & Watkins LLP, counsel of record for Defendant Atlantic Coast Conference. I have
4 personal knowledge of the facts set forth in this Declaration and if called as a witness, I could
5 and would testify competently to each fact.

6 2. I submit this Declaration on behalf of Defendants National Collegiate Athletic
7 Association (“NCAA”), Pac-12 Conference (“Pac-12”), The Big Ten Conference, Inc. (“Big
8 Ten”), The Big 12 Conference, Inc. (“Big 12”), Southeastern Conference (“SEC”), and the
9 Atlantic Coast Conference (“ACC”) (collectively, “Defendants”) pursuant to the Court’s Order
10 Granting Plaintiffs’ Motion for Preliminary Settlement Approval As Modified (Dkt. 544, ¶ 27) to
11 show compliance with the notice requirements of the Class Action Fairness Act, 28 U.S.C.
12 § 1711, *et seq.* (“CAFA”).

13 3. Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement was filed
14 on July 26, 2024. Pursuant to 28 U.S.C. § 1715(b), within ten days of that filing, on August 5,
15 2024, I directed my staff to send the CAFA notice letter (“CAFA Notice”) in accordance with 28
16 U.S.C. § 1715 to Mr. Merrick B. Garland, the United States Attorney General, the California
17 Attorney General, and all other Attorneys General of states where Class Members reside.

18 4. Attached hereto as Exhibit A is a true and correct copy of the letter sent to each
19 Attorney General, detailing the specific documents that were included in the mailing (without
20 enclosures) as required by 28 U.S.C. § 1715(b)(1)-(8). These letters were sent via Certified U.S.
21 Mail.

22 5. To date, apart from email confirming receipt of the CAFA Notice, no response to
23 the CAFA Notice letters have been received.

24 6. To the best of my knowledge, Defendants have fully complied with CAFA’s
25 notice requirements.

26 7. I declare under the penalty of perjury under the laws of the United States that the
27 foregoing is true and correct.

Executed this 15th day of October 2024 at Washington, D.C.

/s/ Anna M. Rathbun

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